

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA

ALLAH BURMAN,)	
)	
Petitioner,)	
)	
v.)	No. CIV-06-463-L
)	
JOSEPH SCIBANA, Warden,)	
)	
Respondent .)	

ORDER

This matter is before the court for review of the Report and Recommendation entered by the Honorable Gary M. Purcell on May 11, 2006, in which he recommended dismissing the Petition for Writ of Habeas Corpus without prejudice for lack of jurisdiction. The docket sheet reflects that the copy of the Report and Recommendation sent to petitioner was returned as undeliverable. Local Civil Rule 5.5 provides that parties must notify the court of any change of address and that “[p]apers sent by the Court will be deemed delivered if sent to the last known address given to the Court.” LCvR 5.5(a). Pursuant to that rule and given the fact that petitioner has not informed the court of his new address, the Report and Recommendation is deemed to have been delivered to petitioner. The court file also reflects that no party has objected to the Report and Recommendation within the time limits prescribed and to date petitioner has failed to object to the Report and Recommendation. Having conducted a *de novo* review of this matter, the court finds

that the Report and Recommendation should be adopted in its entirety. The Petition for a Writ of Habeas Corpus (Doc. No. 1) is therefore DISMISSED without prejudice. Judgment will issue accordingly.

It is so ordered this 7th day of June, 2006.


TIM LEONARD
United States District Judge